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FM AMEMBASSY LA PAZ
TO RUEHC/SECSTATE WASHDC PRIORITY 3233
INFO RUEHAC/AMEMBASSY ASUNCION 6709
RUEHBO/AMEMBASSY BOGOTA 4037
RUEHBR/AMEMBASSY BRASILIA 7927
RUEHBU/AMEMBASSY BUENOS AIRES 5175
RUEHCV/AMEMBASSY CARACAS 2405
RUEHPE/AMEMBASSY LIMA 2528
RUEHMD/AMEMBASSY MADRID 3424
RUEHMN/AMEMBASSY MONTEVIDEO 4549
RUEHQT/AMEMBASSY QUITO 5044
RUEHSG/AMEMBASSY SANTIAGO 9629
RUEHUB/USINT HAVANA 0265
RHMFISS/HQ USSOUTHCOM MIAMI FL
RUMIAAA/USCINCSO MIAMI FL
RHEHNSC/NSC WASHINGTON DC

C O N F I D E N T I A L LA PAZ 001083

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WHA/AND LPETRONI, WHA/FO CSHAPIRO, L/PM THEROLD, I/T DCOOK,
PM/SNA JDETEMPLE, PJANZEN

E.O. 12958: DECL: 04/19/2017
TAGS: [KTIA](#) [PGOV](#) [PREL](#) [MARR](#) [MASS](#) [MOPS](#) [BL](#)
SUBJECT: SOFA NEGOTIATIONS UPDATE

REF: A. LA PAZ 769
[1](#)B. LA PAZ 1032

Classified By: Ecopol Counselor Andrew Erickson for reasons 1.4 (b) and (d).

[1](#)1. (C) This message contains an urgent action request (paragraph 4).

[1](#)2. (C) Poloff and Milgroup Commander met with the MFA's Director of Special Affairs Unit Mireya Duran and U.S. desk officer April 18 to convey that the United States cannot accept any changes to the terms of the diplomatic note used over the past 10 years to lay the groundwork for U.S. military humanitarian activities in Bolivia. Poloff explained the differences in paragraphs three and six of the diplomatic note, as well as the process under the U.S. Military Claims Act that would be used to compensate individual Bolivians for potential claims.

[1](#)3. (C) In response, Duran said the GOB would have to insist on either its first proposal (reftel A) or its second (reftel B, which proposed deleting the second sentence of paragraph 6). She said "before was before," and that the MFA is now operating amidst great change in Bolivia-- in current circumstances, the MFA cannot get the Bolivian congress to approve even the most non-controversial agreements and treaties. Duran she said there is a constant clamor within the MFA to send each and every agreement signed to congress. She reiterated that the MFA would not submit the current exchange of notes for congressional approval, but continued to worry that the agreement would nonetheless come under congressional scrutiny, "leaving her office and the U.S. Embassy in the middle of the dispute" and possibly derailing the entire exercise at the eleventh hour. Duran admitted that the GOB position on paragraph 6 is largely symbolic, recognizing that payments under the U.S. Military Claims Act would likely be faster and more lucrative than an award under Bolivian law, but said the GOB wants to keep open the possibility of applying Bolivian law to incidents that occur on Bolivian soil. In addition to the GOB's still-pending request to delete the second sentence of paragraph 6, Duran

said the GOB still wants to modify paragraph 7 (see reftel A) pertaining to identification of U.S. officials participating in humanitarian exercises in Bolivia via a list of names to the MFA, along with copies of their drivers' licenses.

14. (C) ACTION REQUEST: Please provide post with instructions regarding a concerted USG response to this latest GOB position. Time is of the essence. END ACTION REQUEST.
GOLDBERG